

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:11-CR-00336-RJC

USA

v.

ANTONIO MOSLEY

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ORDER

**THIS MATTER** is before the Court upon motion of the defendant pro se, (Doc. No. 131), to reconsider, pursuant to Rule 60(b) of the Federal Rules of Civil Procedure, an Order, (Doc. No. 125), denying his motion to extend the deadline for filing an appeal, (Doc. No. 123), of an Order, (Doc. No. 119), denying his motion, (Doc. No. 113), for a sentence reduction.

The defendant continues to argue the merits of his claims of excusable neglect for filing a late appeal and for a sentence reduction. However, Rule 60(b) of the Federal Rules of Civil Procedure does not provide a way to challenge judgment in a criminal case. United States v. Jones, 730 F. App'x 172 (4th Cir. 2018); see also United States v. Breit, 754 F.2d 526, 530 (4th Cir. 1985) (a defendant's remedies are limited by the statutes and Federal Rules of Criminal and Appellate Procedure).

**IT IS, THEREFORE, ORDERED** that the defendant's motion, (Doc. No. 131), is **DISMISSED**.

The Clerk is directed to certify copies of this Order to the defendant and the United States Attorney.

Signed: August 29, 2018



Robert J. Conrad, Jr.  
United States District Judge

